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August 25, 2010

**BY ECF FILING AND FIRST CLASS MAIL**

Honorable Arlene R. Lindsay  
United States District Court  
Eastern District of New York  
814 Federal Plaza  
Central Islip, NY 11722-4451

Re: Cassese v. Washington Mutual, Inc.; Civil Action No. 05-CIV-2724 (ADS) (ARL)

Dear Judge Lindsay:

We write as counsel for Plaintiffs and Class Counsel after having conferred with counsel for the FDIC as Receiver for Washington Mutual Bank ("FDIC-Receiver") pursuant to this Court's Order dated May 14, 2010. That Order directed Plaintiffs and FDIC-Receiver to meet and confer as to the discovery sought by Plaintiffs from FDIC-Receiver, and then to submit a joint status letter. FDIC-Receiver has agreed to provide to Plaintiffs any documents responsive to outstanding document requests pertaining to the named Plaintiffs that have not been previously produced. FDIC-Receiver will produce those documents no later than September 1, 2010. At that time, to the best of the parties' knowledge, discovery as to the named Plaintiffs will be complete.

Plaintiffs and the FDIC/Receiver have agreed to defer discussion of the production of class discovery as it pertains to class claims against defendant Washington Mutual, Inc., ("WMI") until Judge Spatt resolves WMI's pending and disputed motion for judgment on the pleadings.

Respectfully yours,  
/s/  
Joseph S. Tusa (JT-9390)

cc: Counsel of Record (by ECF Filing)

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